



Family Courts of Jamaica
The Chief Justice's Third Quarter Statistics Report
(Corporate Area Family Court, the Trelawny Family Court and the Western Regional Family Courts)

JULY TO SEPTEMBER HIGHLIGHTS		
	<u>2021</u>	<u>2020</u>
Gross Case Clearance Rate (%)	88.91	93.16
Net backlog rate (%)	8.99	10.30

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Executive Summary

The specialized family courts in Jamaica continued a trend of commendable output in the third quarter of 2021 and in so doing is poised to make a strong contribution towards the realization of several key quantitative targets set out by the Honourable Chief Justice as part of the objective for the Jamaican judiciary to become one of the best performing court systems in the world over the next few years. Accomplishing such a goal will pivot the court system more firmly towards inspiring public confidence and in contributing immensely to creating the environment for business, investment and broader economic buoyancy.

There were 1705 new cases filed at the five specialized family courts included in this report, namely the Corporate Area Family Court, Trelawny and the three Western Regional Family Courts of St. James, Hanover and Westmoreland. The St. James location accounted for the largest share of these new cases filed with 584 or 34.25%, followed by the Corporate Area with 461 or 27.04% and Westmoreland with 374 or 21.94%. The Family Courts of Hanover and Trelawny with 9.85% and 6.92% of the new cases filed in the quarter accounted for the lowest shares. The St. James Family Court also accounted for the largest share of cases disposed in the quarter, followed by the Corporate Area Family Court and the Westmoreland Family Court respectively.

On the matter of the case clearance rate which is one of the most critical measures of court performance, from which several metrics stem, the Hanover Family Court was the leader for the quarter, netting an impressive 132.14%, followed by the Corporate Area Family Court with 90.67%. The Westmoreland and St. James Family Courts rank next with rates of 89.57% and 82.71% respectively while the Trelawny Family Court with a rate of 49.15% rounds off the list.

The estimated net case backlog rate across the specialized family courts is computed to be roughly 8.99%, which is 3.99 percentage points above the maximum targeted figure set out by the Honourable Chief Justice. A net case backlog rate of 5% or less is highly desirable and reflective of a court operating at near optimality in its clearance of cases. At the current rate of case clearance, it is anticipated that the family courts as a whole will be able to achieve a net case backlog rate of under 5% within the next 12 months.

The Family Courts as a whole continue to face challenges with delay factors such as the absenteeism of applicants and respondents for hearings as well as due to outstanding DNA results, among other factors. Strengthening the case management apparatus of these courts as well as greater levels of cooperation and efficiency from external parties and stakeholders will be useful in reducing the general incidence of delays going forward. The Western Regional Family Courts and the Trelawny Family Court benefitted from the implementation of the new Judicial Case Management System (JCMS) towards the end of 2021 and are now well positioned to becoming significant more service efficient as a result of this advanced technological influx.

Aggregate case flow performance estimates for the third quarter ended September 30, 2021

Family Court	Number of new cases	Gross Number of disposed cases	Gross number of Inactive cases	Weighted Average Case Clearance Rate (%)
Corporate Area Family Court	461	400	18	90.67
Hanover Family Court	168	214	8	132.14
St. James Family Court	584	458	25	82.71
Westmoreland Family Court	374	324	11	89.57
Trelawny Family Court	118	36	22	49.15
Total/Weighted Average	1705	1432	84	88.91

The above table provides a summary of aggregate case activity across the featured specialized Family Courts in the third quarter of 2021. It shows that a total of 1705 new cases were filed in these courts, while 84 became inactive and 1432 were disposed, leading to an estimated weighted case clearance rate of 88.91%. The Hanover Family Court recorded the highest overall weighted case clearance rate among the featured courts with 132.14%, followed by the Corporate Area Family Court with 90.67%.

Introduction

In recent years, an electronic data capture system has been implemented in the specialized Family Courts of the Corporate Area, Trelawny and the Western Regional Family Courts (comprising St. James, Westmoreland and Hanover) to promote efficient data collection and statistical reporting as well as improved case management practices. The system, now nearly

perfected, is the foundation for the production of this statistics report on these specialized Family Courts, detailing a range of case related activities in the third quarter of 2021. The specialized family courts are quite unique within the Jamaican court system, carrying out an array of functions on daily basis – in many ways functioning as a ‘one-stop shop.’ Among the primary functions carried out are on site counselling, filtering matters to offsite counselling locations, extensive open court hearings and adjudication and facilitating wide-ranging operational logistics involving the collection of payments and pay-outs for matters such as maintenance. The specialized Family Courts also tends to a number of distinct case types/macro business units, namely criminal, civil, domestic violence, family which includes maintenance, custody, adoption, declaration of paternity, guardianship and child welfare which includes childcare and protection and uncontrollable child. The criminal division and child welfare together make up the primary activities in the Children’s Court. This report primarily focusses on open court activity for the named specialize courts. According to the Judicature Family Court Act, the primary purpose of the Family Court is to prevent the breakdown of families and where this may be unavoidable to ensure that the welfare of its members and in particular children is safeguarded. The plethora of functions, both judicial and administrative which are performed by the Family Courts are therefore not surprising. In explaining the structure of the handling of family matters in the Jamaican court system, the Judicature (Family Court) Act of 1975 outlines that:

Matters concerning the family of which our statute laws take cognizance are adoption, custody, maintenance, affiliation, juveniles in need of care and attention, juvenile offenders and divorce...the Resident Magistrate’s Court (now parish courts) have jurisdiction in adoption, maintenance and affiliation. These courts along with the Supreme Court hear and determine matters relating to custody and guardianship. The law relating to juveniles in need of care and protection and to offending juveniles is

principally administered by the Juvenile Courts, whilst the Supreme Court exercises exclusive jurisdiction in divorces.

The Family Courts are indeed an important part of the fabric of the justice sector and nation building and statistical reporting of this nature will contribute positively to the productivity of this court and improve the public's understanding and appreciation of its role and provisions. Together, these throughputs will redound to the benefit of the Jamaican society in both the long and short runs. It of note that the newly formed specialized Family Court in Chapleton, Clarendon are not included in this report but will appear in later reports in future reports.

Structure of Report

This 2021 third quarter statistics report is subdivided into four primary chapters, the second focussing extensively on open court operations at the Corporate Area Family Court, followed by summary measures on the three specialized family courts in the Western Region, namely St. James, Westmoreland and Hanover and also the Trelawny Family Court.

Disclaimer

The numbers that are reflected in the case activity summary in the annual report may vary slightly from those quoted in the individual quarterly reports throughout the year due to occasional constraints with timely access to all records and other mitigating factors. Methodological adjustments may also result in slight variations in comparative figures across periods.

Methodology – Generating Court Statistics in Jamaica

Guaranteeing the reliability and validity of the data used to produce the periodic statistical reports for the Jamaican Courts is of utmost importance as we seek to produce a data driven

enterprise for policymaking and operational decisions. As a result, a robust and verifiable system of data production has been created in both the parish court and the Supreme Court jurisdictions. At the parish courts, a data capture system for criminal matters, called the CISS (Case Information Statistical System) has been operational in several courts for the past 3-5 years. This system captures a wide range of data on the progression of criminal cases from initiation to disposition and is manned by at least one dedicated Data Entry Officer Statistical Officer in each court. These officers update the system on a daily basis so that the data produced is as close as possible to real time. The electronic data sheets for each parish court are then validated and backed-up to the network at the end of each month and the data submitted to a centralized, secure medium for processing by the Statistical Unit of the Supreme Court. A data validation mechanism is in place to periodically sample case files in all parish courts and the Divisions of the Supreme Court. A representative sample of case files are taken in each case and crosschecked against the electronic data to detect and eliminate errors of omission and commission.

The Court Statistics Unit at the Supreme Court produces various quarterly and annual court reports which are published on the websites of the Supreme Court and the Parish Courts; however, interim data required by stakeholders may be requested through the Office of the Chief Justice.

Chapter One: Case Activity in the Criminal Section (Corporate Area Family Court)

Case Activity in the Criminal Division (A Division of the Children’s Court)

Section 1.0: An analysis of Criminal Case Activity in the Family Courts in the third quarter of 2021

This chapter of the document will examine a range of output and performance measurements for criminal matters in the Family Court for the third quarter ended September 30, 2021. Such will involve analyses of caseload, case type distribution, case clearance rates and disposal rates as well references to the case backlog rate and on-time case-processing rate among other metrics.

Table 1.0a: Sampling distribution of the status of charges handled at the Corporate Area Family Court in the third quarter ended September 30, 2021

Number of charges handled	Number of active charges	Number of disposed charges	Number of inactive charges
227	136	83	8

The above table shows a sampling distribution of 227 criminal charges that were handled at the Corporate Area Family Court in the third quarter of 2021, a decrease of 185 charges or 44.90% when compared to the 412 charges recorded in the third quarter of 2020. At the end of the quarter, 136 matters or 59.91% were still active. A matter is considered inactive when it is adjourned without a future date set, as is typically the case with warrant matters. A total of 8 or 3.52% of these charges originating was inactive at the end of the third quarter, while 83 or 36.56% were disposed.

Table 1.0b: Sampling distribution of the status of cases handled at the Corporate Area Family in the third quarter ended September 30, 2021

Number of individual cases filed	Number of active cases	Number of cases disposed	Number of cases inactive
115	67	42	6

The above table provides a sampling distribution of the case activity corresponding to the charges in the previous table. A sample of 115 criminal cases handled at the Corporate Area Family Court in the third quarter of 2021 is shown, 133 cases or 53.63% below the 248 cases recorded in the third quarter of 2020. Of the 115 new cases handled, 67 were still active at the end of the quarter, 42 were disposed and 6 were inactive. There was a ratio of one case to 1.97 charges handled in the third quarter of 2021. In other words, for every 100 cases handled, there were 197 charges. There was a ratio of 1 case to 1.66 charges recorded in the third quarter of 2020.

Table 1.0c: Distribution of cases statuses for criminal cases filed at the Corporate Area Family Court in the third quarter ended September 30, 2021

Number of new cases filed	Number of active cases	Number of inactive cases	Number of disposed cases	Case disposal rate (%)	Case clearance rate (%)
37	30	0	7	18.92	129.73

The above table provides a summary of the distribution of case statuses for criminal cases filed at the Corporate Area Family Court in the third quarter of 2021. Of the 37 new criminal cases filed at this court, 30 were still active at the end of the quarter, while 7 were disposed. This resulted in an estimated case disposal rate of 18.92% for criminal cases filed, a 0.69 percentage points decline when compared to the 19.61% recorded in the third quarter of 2020. A more

robust measurement of the productivity of cases handled in any court is the case clearance rate, which provides a ratio of all cases disposed to the new cases filed in a given period. The data presented in table 1.0b suggests that a total of 48 criminal cases were either disposed or became inactive in the third quarter resulting in a clearance rate of 129.73%, which is a 70.27 percentage point decline when compared to the third quarter of 2020.

Table 2.0: Sampling distribution of case types for criminal charges filed at the Corporate Area Family Court for the third quarter ended September 30, 2021

Case Type	Frequency	Percentage (%)
Committal Proceedings	30	37.04
Summary	23	28.40
Indictments	20	24.69
Petty Sessions	8	9.88
Total	81	100.00

The above table shows that the largest proportion of the sample of 81 criminal charges filed at the Corporate Area Family Court in the third quarter of 2021. Of these 30 or 37.04% were committal proceedings, 23 or 28.40% were summary matters and 20 or 24.69% were Indictments. Petty Sessions with 8 or 9.88% accounted for the lowest proportion of the sample of criminal charges in in the quarter ended September 30, 2021.

Table 3.0: Sampling distribution of the top five reasons for adjournment/continuance for the third quarter ended September 30, 2021

Reason for adjournment/continuance	Frequency	Percentage (%)
Social enquiry report requested	10	8.47
Psychiatric evaluation to be done	7	5.93
Warrant to issue	6	5.08
Medical report unavailable	4	3.39
Other	62	52.54
Sub-total	89	75.42

Total number of adjournments/continuances sampled (N) = 118

The above data highlights the sampling distribution of the five leading reasons for adjournment/continuance for criminal cases heard during the third quarter ended September 30, 2021, at the Corporate Area Family Court. Aside from the reasons of adjournment pooled under the category 'other methods', it is seen that social enquiry report requested accounted for 10 or 8.47% of the sample, and psychiatric evaluation to be done with 7 or 5.93% ranking next among the causes of delay in the progression of criminal of cases at this court. Warrant to issue with 6 or 5.08% and medical report unavailable with 4 or 3.39% round off the list. The reasons for adjournment listed above account for 75.42% of the sample of 118 delay factors. The reasons for adjournment provide critical insights into the range of both external and internal factors which explain delay in case progression. They therefore constitute an important part of computing the hearing trial date certainty rates, which are central measures of court activity.

Table 4.0: Sampling distribution of mention court frequency for the third quarter ended September 30, 2021

Descriptive Statistics (months)

Number of observations	213
Mean	2.8028
Median	2.0000
Mode	3.00
Std. Deviation	2.39665
Skewness	3.112
Std. Error of Skewness	.167
Range	14.00
Minimum	1.00
Maximum	15.00

The above table displays the descriptive statistics on mention court frequency for criminal matters at the Corporate Area Family Court in the third quarter of 2021. It is seen that the average

number of mentions per case is roughly 2.8, an indication that for every 10 cases there were 28 mentions. The median number of mentions was 2, and the mode was 3. The maximum number of mentions per matter in the quarter was 15, while the minimum was 1 mention. The moderate standard deviation is an indication that there was some amount of variation in the mention court frequency of individual cases around the average incidence. The positive skewness is an indication that a larger proportion of the scores in the data set fell below the average mention court frequency. The result is within the prescribed maximum rate 5 mentions per case, based on international best practices.

Table 5.0: Sampling distribution of methods of disposition for the third quarter ended September 30, 2021

Method of Disposition	Frequency	Percentage (%)
Transferred	24	53.33
Other	16	35.56
Not Guilty Verdict	2	4.44
Granted	1	2.22
Guilty Verdict	1	2.22
Mediated settlement	1	2.22
Total	45	100.0

The above table summarizes the methods of disposition for a sample of 45 criminal charges disposed in the third quarter of 2021. It is seen that matters transferred to another court with 24 or 53.33% of the sample accounts for the majority of the sample of methods of disposition in the quarter. Methods of disposition pooled under the category “other methods” account for 16 or 35.56%, not guilty verdicts with 2 or 4.44% and applications granted, guilty verdicts and mediated settlement matters each with 1 or 2.22% of the sample complete the list.

Table 6.0: Sampling distribution of the types of sentencing/orders made in the third quarter ended September 30, 2021

Type of Order/Sentencing	Frequency	Percentage (%)
Probation Order	26	68.42
Correctional Order	6	15.79
Admonish and Discharge	3	7.89
Supervision Order	2	5.26
Fit Person Order	1	2.63
Total	38	100.00

It is seen in the above table that from the sample of 38 orders made in the third quarter of 2021, the majority were probation orders with 26 or 68.42% of the sample. Correctional orders with 6 or 15.79% rank next, followed by orders of admonishment and discharge with 3 or 7.89% of the sample. Supervision orders accounted for 5.26% and fit person order accounted for the remaining proportion of the sample with 2.63%.

Table 7.0: Sampling distribution of times to disposition for the quarter ended September 30, 2021

Descriptive statistics (in days)

Number of observations	46
Mean	191.26
Std. Error of Mean	35.017
Median	91.00
Mode	69
Std. Deviation	237.499
Skewness	1.880
Std. Error of Skewness	.350
Range	755
Minimum	27
Maximum	782

The above descriptive statistics provide a summary of the time taken to dispose of a sample of 46 matters resolved in the third quarter of 2021. It is seen that the average time taken to dispose

of these cases was roughly 191 days or 6.4 months, while the median time was 91 days and the most frequently occurring time to disposition in the quarter (mode) was 69 days. The relatively large standard deviation suggests that there is a wide variation in the individual times, while the positive skewness suggests that a significant portion of the times to disposition in the data set fell below the overall average time to disposition. The maximum time taken to dispose of these cases was roughly 782 days or 2.2 years and the minimum was 27 days.

Case Demographics

Table 1.0: Sampling distribution of the leading charges filed at the Corporate Area Family Court in the third quarter ended September 30, 2021

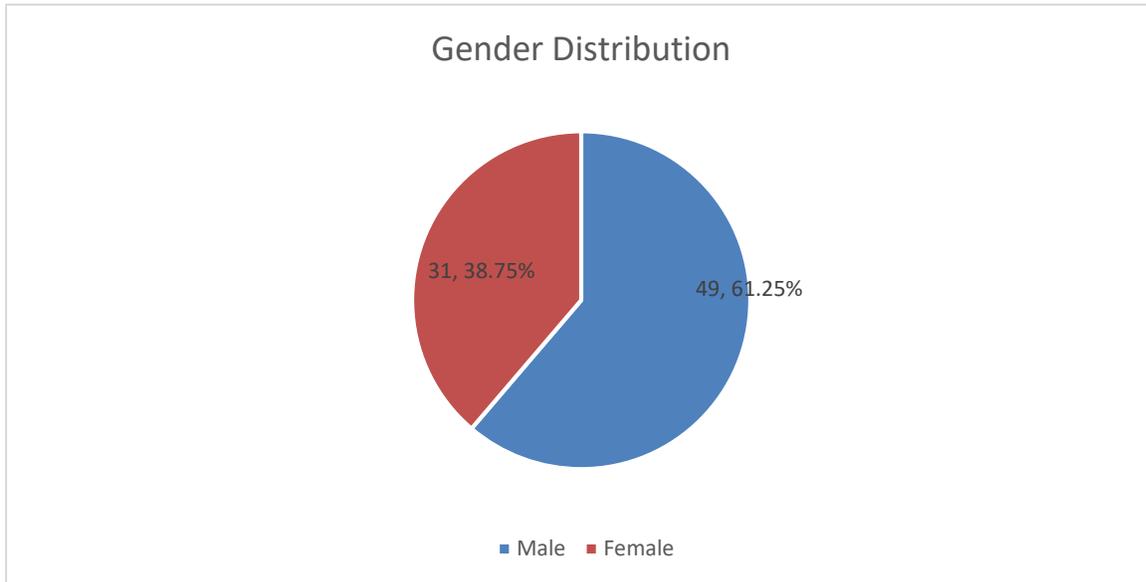
Type of offence	Frequency	Percentage (%)
Unlawful wounding	7	9.86
Assault occasioning actual bodily harm	5	7.04
Buggery	5	7.04
Grievous sexual assault	5	7.04
Rape	5	7.04
Sexual intercourse with a person under 16	5	7.04
Sub-Total	32	45.07

Sample size= 71

The above table provides a summary of the most frequently occurring charges filed in the third quarter of 2021 at the Corporate Area Family Court. Of a sample of 71 charges filed in the third quarter, it is seen that 7 or 9.86% were matters of unlawful wounding. Assault occasioning bodily harm, buggery, grievous sexual assault, rape and sexual intercourse with a person under 16 each accounted for 7.04% of the sample of charges. Of the leading charges listed in the table above, buggery, rape and sexual intercourse with a person under 16 had the highest proportion of males

with 100%, while assault occasioning actual bodily harm had the highest proportion of females also with 100% of the sample.

Chart 1.0: Distribution of charges by gender for the third quarter ended September 30, 2021



The above chart shows the distribution of charges filed by gender, using a sample of 80 matters. Males account for the majority of the matters with 49 or 61.25% of the sample, while females accounted for the remaining 38.75% of matters filed.

Table 2.0: Sampling distribution of the leading charges by gender in the third quarter ended September 30, 2021

Charges	Male		Female		Total
	Count	%	Count	%	
Unlawful wounding	2	29	5	71	7
Buggery	5	100	0	0	5
Rape	5	100	0	0	5
Sexual intercourse with a person under 16	5	100	0	0	5
Grievous sexual assault	2	40	3	60	5
Assault occasioning bodily harm	0	0	5	100	5
Aiding and abetting grievous sexual assault	2	50	2	50	4
Indecent assault	2	50	2	50	4
Malicious destruction of property	1	25	3	75	4
Gross indecency	3	100	0	0	3

The above table summarizes a sampling distribution of the leading charges filed by gender at the Corporate Area Family Court in the third quarter of 2021. Males are especially dominant with the charges of rape, sexual intercourse with a person under 16 and gross indecency. As it relates to females charged, the charges with the highest frequencies were assault occasioning bodily harm followed by malicious destruction of property.

Table 3.0: Courtroom/outstation distribution for new matters heard in the third quarter ended September 30, 2021

Courtroom/Outstation	Frequency	Percentage (%)
Children's Court	80	100
Total	80	100

It is shown in the above table that all criminal cases heard at the Corporate Area Family Court in the third quarter of 2021 took place in the Children's Court.

Section 2.0: Case Activity in the Child Welfare Matters (A Division of the Children’s Court)

This section examines case activity for matters classified as child welfare in the Corporate Area Family Court in the third quarter of 2021. Matters classified under the general case type category classified as child welfare includes uncontrollable child and childcare and protection.

Table 1.0: Distribution of Child Welfare matters handled at the Corporate Area Family Court in the third quarter ended September 30, 2021

Number of matters handled	Matters active	Matters disposed	Inactive matters
76	31	44	1

The above table details the outcome of 76 Child Welfare matters, which were handled by the Family Court in the Corporate Area in the third quarter of 2021. At the end of the quarter, 31 matters were still active and 44 were disposed. The remaining 1 matter was inactive at the end of the quarter.

Table 2.0a: Distribution of new Child Welfare cases filed at the Corporate Area Family Court in the third quarter ended September 30, 2021

Number of new cases filed	Active cases	Disposed cases	Inactive cases	Case Disposal Rate (%)
39	24	15	0	38.46

The above data shows a sample of 39 child welfare cases handled at the Corporate Area Family Court in the third quarter of 2021 which is 9 cases or 30% above the 30 cases recorded in the third quarter of 2020. Of this, 15 were disposed, 0 were inactive and 24 were still active at the end of the quarter. This produced a case disposal rate of 38.46% for these types of cases, which

is 1.79 percentage points more than the disposal rate recorded in the corresponding third quarter of 2020.

2.0b: Clearance rate summary for the Corporate Area Family Court for the third quarter ended September 30, 2021

New Child Welfare cases filed	Gross number of inactive cases	Gross number of disposed cases	Case clearance rate (%)
39	1	32	84.62

The above Table shows that there was an aggregate of 33 child welfare cases which were either disposed or became inactive in the third quarter of 2021 at the Corporate Area Family Court. This produced a case clearance rate of 84.62% which is below the international standard and is 78.71 percentage points less than the clearance rate recorded in the corresponding third quarter of 2020.

Table 3.0: Sampling distribution of the types of Child Welfare matters filed in the third quarter ended September 30, 2021

Types of cases	Frequency	Percentage (%)
Child Care and Protection	47	83.93
Uncontrollable Child	9	16.07
Total	56	100.00

A sample of 56 child welfare matters filed in the third quarter of 2021 revealed that majority of cases filed were childcare and protection matters with 47 or 83.93% of the sample, while matters of uncontrollable child with 9 or 16.07% accounted for the remaining proportion.

Table 4.0: Sampling distribution of mention court frequency for Child Welfare matters heard in the in the third quarter ended September 30, 2021

Descriptive statistics (months)

Number of observations	46
Mean	2.3913
Std. Error of Mean	.15379
Median	2.0000
Mode	2.00
Std. Deviation	1.04304
Skewness	.732
Std. Error of Skewness	.350
Range	4.00
Minimum	1.00
Maximum	5.00

The above table displays the descriptive statistics on mention court frequency for 46 child welfare matters at the Corporate Area Family Court in the third quarter of 2021. It is seen that the average number of mentions per case is roughly 2, an indication that for every 10 cases there were 20 mentions. The median time and the modal number of mentions both stood at 2. The maximum number of mentions per matter in the quarter was 5, while the minimum was 1. The standard deviation is moderate, an indication that there is some variation in the mention court frequency of individual cases. The positive skewness is an indication that the higher proportion of the scores in the data set fell below the series average. These outputs are within the prescribed maximum rate of 5 mentions per matter, based on international best practices.

Table 5.0: Sampling distribution of the methods of disposition for the third quarter ended September 30, 2021

Method of Disposition	Frequency	Percentage (%)
Granted	17	70.83
Transferred	3	12.50
Other	2	8.33
Struck out	1	4.17
Withdrawn	1	4.17
Total	24	100.00

The above table summarizes the methods of disposition for a sample of 24 child welfare matters in the third quarter of 2021. It is seen that applications granted accounted for the majority of the sample with 17 or 70.83% of the sample. Matters transferred with 3 or 12.50% of the sample and methods of disposition pooled under the category “other methods” with 2 or 8.33% rank next. Applications withdrawn and matters struck out with 4.17% each of the sample round off the top methods of disposition in the quarter.

Table 6.0: Sampling distribution of the times to disposition for Child Welfare matters for the third quarter ended September 30, 2021

Descriptive statistics (in days)

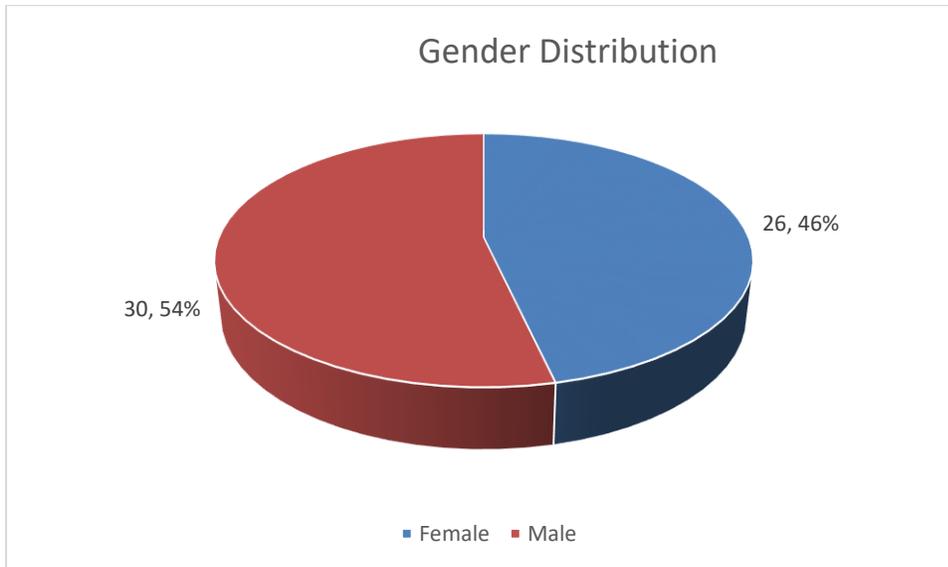
Number of observations	27
Mean	114.0741
Median	112.0000
Mode	114.00
Std. Deviation	40.45218
Skewness	.391
Std. Error of Skewness	.448
Range	138.00
Minimum	56.00
Maximum	194.00

The above table provides a descriptive statistical summary of the times taken to dispose of child welfare cases in the third quarter of 2021. It is shown that from a sample of 27 matters disposed in the quarter, the average time to disposition was 114 days or roughly 3.8 months. The maximum time taken to dispose of the cases used in this sample was 194 days, while the lowest time taken was 56 days. The overall standard deviation of approximately 40 days was moderate, indicating there was some amount of variation in the times to disposition. The positive skewness is an indication that most of the data points were clustered around the overall mean.

Case initiation and case demographics –Child Welfare matters in the third quarter ended September 30, 2021

In this subsection of the report, there is an examination of the case party demographics for the cases which had some activity in the third quarter of 2021.

Chart 1.0: Sampling distribution of the gender of children associated with new cases handled for the third quarter ended September 30, 2021



The above chart shows that 54% of a sample of 56 children involved in child welfare cases filed were male, with females accounting for 46% of the sample.

Table 7.0: Sampling distribution of matters by courtroom/outstation assignment for the third quarter ended September 30, 2021

Courtroom/Outstation	Frequency	Percentage (%)
Children's Court	55	98.21
Courtroom #2	1	1.79
Total	56	100.00

The above table shows the distribution of 56 child welfare matters filed by courtroom of assignment. It is shown that the children's court accounted for the overwhelming majority of the accommodations in the sample with 55 or 98.21%. Courtroom 2 accounted for the remaining 1.79% of the sample.

Section 2.0: Case Activity on Family Division (A Division of the Children’s Court)

This section examines case activity for matters classified as Family Matters in the Corporate Area Family Court in the third quarter of 2021. Matters classified under the general case type category classified as family matters includes maintenance, custody and declaration of paternity matters.

Table 1.0: Distribution of family matters handled at the Corporate Area Family Court in the third quarter ended September 30, 2021

Number of matters handled	Matters active	Matters disposed	Inactive matters
993	648	325	20

The above table details the outcome of the 993 family matters, which were handled by the Corporate Area Family Court in the third quarter of 2021. At the end of the quarter, 648 matters were still active and 325 were disposed. There remaining 20 matters were inactive at the end of the quarter.

Table 2.0a: Distribution of new family cases filed at the Corporate Area Family Court in the third quarter ended September 30, 2021

Number of new cases filed	Active cases	Disposed cases	Inactive cases	Case Disposal Rate (%)
281	271	10	0	3.56

The above data shows a sample of 281 child welfare cases handled at the Corporate Area Family Court in the third quarter of 2021 is shown, 109 cases or 27.95% below the 390 cases recorded in the third quarter of 2020. Of this, 10 were disposed and 271 were still active at the end of the quarter. This produced an estimated case disposal rate of 3.56% for these types of cases and is

12.34 percentage points less than the case disposal rate recorded in the corresponding third quarter of 2020.

2.0b: Clearance rate summary for the Family Courts for the third quarter ended September 30, 2021

New Family cases filed	Gross number of inactive cases	Gross number of disposed cases	Case clearance rate (%)
281	10	225	83.63

The above table shows that in the third quarter of 2021 in the family division, there were 225 disposed cases and 10 cases which became inactive. This produced an estimated case clearance rate of 83.63% which is below the international standard and is 19.96 percentage points less than the case clearance rate recorded in the corresponding third quarter of 2020.

Table 3.0: Sampling distribution of the types of Family matters filed in the third quarter ended September 30, 2021

Types of cases	Frequency	Percentage (%)
Maintenance	182	47.40
Declaration of paternity	102	26.56
Custody	100	26.04
Total	384	100.00

A sample of 384 matters filed at the Corporate Area Family Court in the third quarter of 2021 revealed that the highest proportion of cases filed were maintenance matters with 182 or 47.40% of the sample. This was followed by 102 or 26.56%, which were matters of declaration of paternity and 100 or 26.04% which were custody matters.

Table 4.0: Sampling distribution on the reasons for adjournment/continuance for Family matters heard in the third quarter ended September 30, 2021

Reasons for adjournment/continuance	Frequency	Percentage (%)
Deoxyribonucleic Acid (DNA) Results Outstanding	55	17.97
Absenteeism of Applicant	47	15.36
Social Enquiry Report Outstanding	40	13.07
Absenteeism of Respondent	39	12.75
Other	101	33.01
Sub-total	282	92.16

Total number of adjournments/continuances sampled (N) = 306

The above table is derived from a sample of 306 adjournments heard in the third quarter of 2021.

Apart from adjournments pooled under the category “other”, the largest share, 55 or 17.97% were due to Deoxyribonucleic Acid (DNA) results outstanding, followed by adjournments due to absenteeism of defendants with 47 or 15.36% and adjournments due to Social Enquiry Reports outstanding with 40 or 13.07%. Adjournments due to the absenteeism of respondents with 39 or 12.75% rank next.

Table 4.0b: Sampling distribution of mention court frequency for family matters heard in the third quarter ended September 30, 2021

Descriptive statistics

Number of observations	709
Mean	2.4697
Median	1.0000
Mode	1.00
Std. Deviation	2.56128
Skewness	2.488
Std. Error of Skewness	.092
Range	16.00
Minimum	1.00
Maximum	17.00

The above table displays the descriptive statistics on mention court frequency for 709 family matters at the Corporate Area Family Court in the third quarter of 2021. It is seen that the average

number of mentions per case is roughly 2.5, an indication that for every 10 cases there were 25 mentions. The median and modal number of mentions both stood at 1. The maximum number of mentions per matter in the quarter was 17, while the minimum was 1 mention. The standard deviation is high, an indication that there is a wide variation in the mention court frequency of individual cases. The positive skewness shown is an indication that the vast proportion of the scores in the data set fell below the average. These outputs are within the prescribed maximum rate of 5 mentions per matter, based on international best practices.

Table 5.0: Sampling distribution of the methods of disposition for the third quarter ended September 30, 2021

Method of Disposition	Frequency	Percentage (%)
Struck out	136	49.28
Granted	98	35.51
Withdrawn	30	10.87
Denied	8	2.90
Other	4	1.45
Total	276	100.00

The above table summarizes the methods of disposition for a sample of 276 family matters in the third quarter of 2021. It is shown in the sample that the highest proportion of matters were disposed by being struck out, accounting for 136 or 49.28% of the sample of disposed matters. This was followed by applications granted with 98 or 35.51% of the sample. Applications withdrawn with 30 or 10.87% and applications denied with 8 or 2.90% of the sample rank next. Methods of disposition pooled under the term, “other” account for the remaining 1.45% of the sample.

Table 6.0: Sampling distribution of the times to disposition for family matters for the third quarter ended September 30, 2021

Descriptive statistics (in days)

Number of observations	156
Mean	166.7372
Median	97.0000
Mode	77.00 ^a
Std. Deviation	238.32621
Skewness	4.836
Std. Error of Skewness	.194
Range	2031.00
Minimum	7.00
Maximum	2038.00

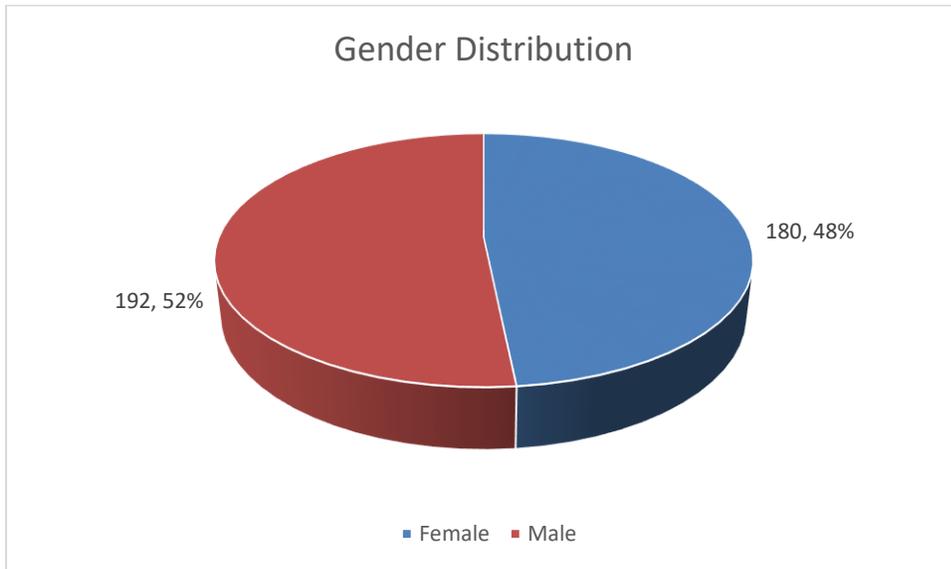
a Multiple modes exist. The smallest value is shown

The above table provides a descriptive statistical summary of the times taken to dispose of family cases at the Family Court in the Corporate Area in the third quarter of 2021. It is shown that from a sample of 156 cases disposed in the quarter, the average time to disposition was 167 days or roughly 5.6 months. The maximum time taken to dispose of the cases used in this sample was 2038 days or 5.7 years, while the lowest time taken was 7 days. The overall standard deviation of approximately 238 days was relatively high, indicating a wide variation in the times to disposition. The positive skewness was high, an indication that a decidedly larger the proportion of the data points fell below the overall mean.

Case initiation and case demographics –Family matters in the third quarter ended September 30, 2021

In this subsection of the report, there is an examination of the case party demographics for the cases which had some activity in the third quarter of 2021.

Chart 1.0: Sampling distribution of the gender of children associated with new cases for the third quarter ended September 30, 2021



The above chart shows that 192 or 51.61% of a sample of 372 children involved in family matters filed were male, with females accounting for 48.39% of the sample.

Table 7.0: Descriptive statistics on age distribution of parties involved in cases filed in the third quarter ended September 30, 2021

Descriptive statistics (in years)

Number of observations	372
Mean	7.4812
Median	6.0000
Mode	3.00
Std. Deviation	7.53087
Skewness	2.447
Std. Error of Skewness	.126
Range	54.00
Minimum	.00
Maximum	54.00

The table above shows the descriptive statistics on a sample of age of parties involved in cases for family case types for the third quarter ended September 30, 2021. It is shown from a sample of 372 matters that the average age was 7.5 years. The maximum age in this sample was 54 years, while the minimum age was less than a year. The overall standard deviation of approximately 8 years was relatively high, indicating a wide variation in the ages in the distribution. The positive skewness indicates a decisive leaning towards the lower ages in the distribution.

Table 8.0: Sampling distribution of cases by courtroom/outstation assignment for the third quarter ended September 30, 2021

Courtroom/Outstation	Frequency	Percentage (%)
Courtroom #1 (main courthouse)	115	93.50
Courtroom #2 (main courthouse)	4	3.25
Courtroom #3 (main courthouse)	4	3.25
Total	123	100.00

The above table shows the distribution of 123 family matters filed by courtroom of assignment. It is shown that courtroom 1 at the main courthouse with 115 or 93.50% of the matters accounted

for the majority of cases heard, with courtrooms 2 and 3 at the main courthouse each with 4 or 3.25% sample rounding off the accommodations in the sample.

Section 4.0: Summary of case activity for Domestic Violence matters filed in the third quarter ended September 30, 2021

The below subsection provides a basic summary of case activity for domestic violence cases filed at the Corporate Area Family Court in the third quarter ended September 30, 2021.

Table 1.0: Summary of matters filed in the third quarter ended September 30, 2021

New matters filed	Matters active	Matters inactive	Matters disposed
212	85	1	126

The above table shows that 212 domestic violence matters were filed in the third quarter of 2021, 85 of which were still active at the end of the period. There were 126 of the matters disposed of and 1 was inactive at the end of the quarter. Table 2.0 provides further analysis of the equivalent number of domestic violence cases filed and the case disposal rates.

Table 2.0a: Summary of case activity for the third quarter ended September 30, 2021

New cases filed	Active cases	Inactive cases	Disposed cases	Case Disposal Rate (%)
104	52	2	50	50.00

An equivalent number of 104 new domestic violence cases were filed in the third quarter of 2021, of which 52 were active, 2 were inactive and 50 were disposed at the end of the quarter. This produces an estimated disposal rate of 50%, which is 9.28 percentage points above the disposal rate of 40.72% recorded for the third quarter of 2020.

Table 2.0b: Summary of gross case activity for the third quarter ended September 30, 2021

New Domestic Violence cases filed	Gross number of Inactive cases	Gross number of Disposed cases	Clearance Rate (%)
104	1	101	98.08

The data above shows that a total of 102 domestic violence cases which were either disposed or became inactive in the third quarter of 2021 at the Corporate Area Family Court. This produces an estimated case clearance rate of 98.08%, which meets the international standard. This is also 26.66 percentage points below the clearance rate of 124.74% recorded for the third quarter of 2020.

Table 3.0: Sampling distribution of cases by courtroom/outstation assignment for the third quarter ended September 30, 2021

Courtroom/outstation	Frequency	Percentage
Courtroom #2 (main courthouse)	47	42.34
Courtroom #1 (main courthouse)	35	31.53
Courtroom #3 (main courthouse)	29	26.13
Total	111	100.00

The above table shows the distribution of 111 domestic violence matters filed, by courtroom of assignment. It is shown that courtroom 2 at the main courthouse with 47 or 42.34% of the matters accounted for the highest proportion of cases sampled, with courtroom 1 at the main courthouse accounting for 35 or 31.53% ranking next. Courtroom 3 with 29 or 26.13% of the sample rounds off the accommodations in the sample.

Table 4.0: Sampling distribution on the reasons for adjournment/continuance for family matters heard in the third quarter ended September 30, 2021

Adjournments/Continuances	Frequency	Percentage
Absenteeism of Applicant	14	22.22
Social Enquiry Report Outstanding	7	11.11
Absenteeism of Respondent	6	9.52
Health crisis - COVID-19 pandemic	3	4.76
Other	27	42.86
Sub-total	57	90.48

Sample of adjournments/continuances= 63

The above table is derived from a sample of 63 adjournments heard in the third quarter of 2021.

Apart from adjournments pooled under the category “other”, the largest share, 14 or 22.22% were due to absenteeism of applicants, followed by adjournments due to Social Enquiry Reports outstanding with 7 or 11.11% and the absenteeism of respondents with 6 or 9.52%.

Adjournments due to the COVID-19 pandemic with 3 or 4.76% rank next.

Table 5.0: Sampling distribution of Domestic Violence cases disposed in the third quarter ended third 30, 2021

Descriptive Statistics (days)

Number of observations	55
Mean	147.0909
Median	71.0000
Mode	71.00
Std. Deviation	173.40375
Skewness	1.905
Std. Error of Skewness	.322
Range	700.00
Minimum	15.00
Maximum	715.00

The above table shows that the average time taken to dispose of a sample of 55 matters in the third quarter of 2021 was roughly 147 days or 4.9 months. The standard deviation of 173 days is quite high, indicating that there’s a wide dispersion of the individual times in the data set. The

skewness of the data is positive, which is an indication that a decidedly larger number of the observations fell below the overall mean score. The maximum time taken to dispose of these matters was 715 days or roughly 2 years, while 15 days was the lowest time.

Table 6.0: Sampling distribution of the methods of disposition for the third quarter ended September 30, 2021

Method of Disposition	Frequency	Percentage (%)
Struck out	41	58.57
Granted	16	22.86
Withdrawn	12	17.14
Transferred	1	1.43
Total	70	100.00

The above table summarizes the methods of disposition for a sample of 70 domestic violence matters disposed in the third quarter of 2021. Matters struck out accounted for the majority of the sample with 41 or 58.57% of the sample, followed by applications granted with 16 or 22.86% and applications withdrawn with 12 or 17.14% of the sample. Matters transferred accounted for the remaining 1.43% of the sample.

Table 7.0: Distribution of applications for restraining orders as at the third quarter ended September 30, 2021

Type of restraining order	Number of orders made	Equivalent number of cases	Percentage of total orders
Protection Order	2623	2531	84.29
Occupation Order	488	479	15.68
Ancillary Order	1	1	0.03
Total	3112	3011	100.00

Using a sample of cases filed predominantly since 2018, the above table provides a sampling distribution of applications for restraining order filed. It is seen that of an estimated 3112 such orders filed predominantly between 2018 and the end of September 2021, the overwhelming majority were protection orders with 2623 or 84.29%, while occupation orders accounted for 488 or 15.68% of the matters. Only a single ancillary order is recorded in this sample.

The ensuing tables summarize the relationships between the case parties involved in restraining order application over a primary sample period of 2018 to the end of September 2021.

Table 8.0a: Distribution of the relationship between parties for protection order applications made during the third quarter ended September 30, 2021

Relationship	Frequency	Percentage
Former Partner	1190	62.17
Spousal	193	10.08
Estranged wife/husband	177	9.25
Parent/Child	175	9.14
Other	136	7.11
Members of Household	43	2.25
Total	1914	100.00

For the sample of applications for protection orders made over the stated primary period, the largest proportion of the relationships between the case parties concerned was that of former

partners, accounting for a notable 62.17%, followed in distant second by spousal relations with 10.08% and estranged partners with 9.25%, rounding off the top three.

Table 8.0b: Distribution of the relationship between parties for occupation order applications made during the third quarter ended September 30, 2021

Relationship	Frequency	Percentage
Former Partner	143	37.05
Parent/Child	75	19.43
Estranged wife/husband	55	14.25
Other	47	12.18
Spousal	46	11.92
Members of Household	20	5.18
Total	386	100.00

The largest proportion of the relations in the sample of applications for occupation order was also that of former partners, accounting for 37.05% of the sample. This is followed by parent/child relations with 19.43% and estranged partners with 14.25% of the sample.

The below tables summarize the leading methods of disposition for the earlier listed types of restraining orders over the stated period.

Table 9.0a: Distribution of methods of disposition for Protection Orders made in the third quarter ended September 30, 2021

Method of disposition	Frequency	Percentage (%)
Struck out	1134	53.77
Granted	452	21.43
Withdrawn	436	20.67
Other	47	2.23
Denied	29	1.38
Transferred	5	0.24
Matters Settled	3	0.14
Mediated settlement	3	0.14
Total	2109	100.00

The dominant methods of disposition for 2109 protection order applications are disposals by being struck out (53.77%), applications granted (21.43%) and applications withdrawn (20.67%).

Table 9.0b: Distribution of methods of disposition for Occupation Orders made in the third quarter ended September 30, 2021

Method of Disposition	Frequency	Percentage (%)
Struck out	207	52.27
Withdrawn	124	31.31
Granted	43	10.86
Denied	15	3.79
Other	6	1.52
Transferred	1	0.25
Total	396	100.00

The dominant methods of disposition for 396 occupation order applications are disposals by being struck out (52.27%), applications withdrawn (31.31%) and applications granted (10.86%).

Summary of case activity for matters filed in the third quarter at the Corporate Area Family Court

Table 1.0a: Summary of new case activity for cases in the third quarter ended September 30, 2021

Aggregate Number of new cases filed	Number of active cases	Number of Inactive cases	Number Disposed cases	Weighted disposal rate (%)
461	377	2	82	18.22

The above table provides a summary of total case activity cross all business lines at the Corporate Area Family Court for the third quarter of 2021. It is shown that there was a total of 461 new cases filed, of which 82 were disposed and 2 became inactive, thereby producing an estimated weighted case disposal rate of 18.22% for the quarter across all case types, 6.14 percentage points below the recorded weighted disposal rate for the corresponding 2020 third quarter. domestic violence cases with a case disposal rate of 50%, family cases with a disposal rate of 3.56%, Child Welfare cases with a disposal rate of 38.46% and criminal cases with a rate of 18.92% completes the distribution of the case disposal rates across the macro case units.

Table 1.0b: Summary of case activity for cases in the third quarter ended September 30, 2021

Aggregate Number of new cases filed	Gross Number of Inactive cases	Gross Number Disposed cases	Number of cases disposed or inactive (of those originating in the quarter)	Overall case clearance rate (%)	Overall Weighted case disposal rate (%)
461	18	400	84*	90.67	18.22

*Includes 2 inactive cases

The above table shows that a grand total of 461 new cases were filed across the business lines at the Corporate Area Family Court in the third quarter of 2021, while 400 cases were disposed and 18 became inactive. This produces an estimated weighted case clearance rate of 90.67% across all the case types in the third quarter of 2021, which is 29.18 percentage points below the overall weighted case clearance rate recorded in the third quarter of 2020. Criminal cases with 129.73% had the highest clearance rate, followed by domestic violence cases with 98.08% and child welfare cases with 84.62%. Family division cases had the lowest estimated clearance rate in the quarter with 83.63%. By any measure, these are quite impressive results. As indicated, the Corporate Area Family Court also recorded an overall weighted average case disposal rate of 18.22% in the quarter, ranging from a low of 3.56% in the family Division to a high of 38.46% in the child welfare subdivision.

Table 2.0: Sampling distribution of courtroom utilization rate for the third quarter ended September 30, 2021

Parish Court	Average overall Courtroom Utilization Rate (%)	Highest Recorded Courtroom Utilization Rate (%)	Lowest Recorded Courtroom Utilization Rate (%)	Standard Deviation of the Courtroom Utilization Rate (%)	Average Courtroom Utilization Rate for Night Court sittings (%)	Average Number of Courtroom Adjournments Per Day
Corporate Area Court-Family	77.27	116.67	36.11	22.10	-	1.9

The above table details the courtroom utilization rate for the Corporate Area Family Court for the third quarter of 2021. The courtroom utilization rate provides a measurement of the proportion of available hours for open court hearings in all courtrooms (including outstations)

which are utilized. If the usage of any courtroom exceeds the available hours, then the utilization rate will exceed 100% and the rate will fall below 100% if less than the available hours are utilized. The prescribed international standard for the courtroom utilization rate is 100%, which means that all hours allocated for court hearings in any court, on any given day should be utilized. The overall average courtroom utilization rate for the Corporate Area Family Court in the quarter was roughly 77.27%, which is an indication that on average roughly 77% of the available hours for court hearings in the third quarter of 2021 were utilized. The standard deviation of the courtroom utilization rates is moderate, suggesting that on average the rates did not vary widely from the overall mean.

The sample size of days used to compute the rates for each court were sufficiently large and representative, though not the same for all courts. The margin of error of the courtroom utilization rates is a reliable $\pm 2.5\%$.

Table 3.0: Descriptive statistics on the time to disposition for cases disposed as at the third quarter ended September 30, 2021

Family Courts	Time to disposition (days)							
	Average	Mode	Median	Standard Deviation	Skewness	Minimum	Maximum	Sample size (N)
Corporate Area Court-Child welfare	127.87	61	112	83.17	1.32	1	477	446
Corporate Area Court-Criminal	207.20	111	139.5	209.90	2.41	1	1493	1338
Corporate Area Court-Domestic Violence	178.90	63	112	230.40	6.61	1	3931	1349
Corporate Area Court-Family	229.69	28	133	339.25	5.39	1	4984	4320
Total/Weighted Average	210.37	65.75	124.13	215.68	3.93	1.00	2721.25	1863.25
Standard Deviation	43.92	34.17	14.25	105.01	2.48	0.00	2091.95	1691.60
Skewness	-0.81	0.65	0.18	-0.25	0.04	0.00	0.01	1.61

Number of matters sampled (N) = 7,453

The table above shows the descriptive statistics on a sample of matters disposed at the Corporate Area Family Court as at September 30, 2021, covering at least an 80-week period. The output produces an estimated weighted average time taken to dispose of matters of approximately 210 days. The skewness of these times to disposition is -0.81, suggesting that slightly more these times were above the overall mean. For the matters disposed in the period, the child welfare division (128 days) took the lowest time on average to dispose of cases over the period. The domestic violence division (179 days), the criminal division (207 days) and the family division (230 days) rank next. The average variation among the times to disposition across these divisions is however modest, as shown by the standard deviation (43.92). The maximum times to disposition in the sample ranged from a low of 477 days (16 months/1.3 years) in the child welfare division, to a high of 4984 days (166 months/13.8 years) in the family division while the overall minimum

time to disposition was one day. The sample size used to compute these descriptive data was a substantial and representative 7,453 matters.

Chapter 2.0: St. James Family Court (A Division of the Western Regional Family Court)

This chapter of the document will examine a summary of selected output and performance measurements for matters for case activity at the St. James Family Court in the third quarter ended September 30, 2021. Such will involve analyses of caseload, case type distribution and case clearance rates for the different business lines of the family court.

Case Activity Summary in the Criminal Section (A Division of the Children’s Court)

Table 1.0: Summary of criminal case activity for cases for the third quarter ended September 30, 2021

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case clearance rate (%)
Committal	7	0	0	0.00
Indictments	5	5	0	100.00
Summary	9	19	0	211.11
Petty Session	4	11	0	275.00
Total/Weighted Average	25	35	0	140.00

The above table shows that the sample of 25 criminal cases filed at the St. James Family Court in the third quarter ended September 30, 2021. Of these, 9 or 36% were summary matters, 7 or 28% were Committal proceedings, 5 or 20% were indictments and 4 or 16% were Petty session matters. There was a total of 35 criminal cases disposed during third quarter ended September 30, 2021. Of these, 19 summary cases were disposed, 11 petty session cases and 5 indictments were disposed of during the quarter. This led to an estimated weighted clearance rate of 140% for these types of cases.

Case Activity on Child Welfare Matters (A Division of the Children’s Court)

This section examines case activity for matters classified as child welfare in the St. James Family Court for the third quarter ended September 30, 2021. Matters falling under the child welfare subdivision are uncontrollable child and childcare and protection cases.

Table 1.0: Summary of child welfare case activity for the third quarter ended September 30, 2021

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Childcare protection	24	29	3	133.33
Uncontrollable Child	22	12	3	68.18
Total Weighted Average	46	41	6	102.17

There were 46 child welfare cases filed at the St. James Family Court in the third quarter ended September 30, 2021, the majority of which were childcare and protection cases which accounted for 24 or 52.17%, while cases of uncontrollable child with 22 or 47.83% accounted for the remaining proportion. A total of 41 child welfare cases were disposed, while 6 became inactive during the quarter. Twenty-nine (29) childcare and protection cases were disposed during the quarter and 3 became inactive, while 12 uncontrollable child cases were disposed and 3 cases became inactive during the quarter. These results led to estimated case clearance rates of 133.33% for childcare and protection cases and 68.18% for uncontrollable child cases, further yielding a weighted average case clearance rate of 102.17%, which satisfies the international standards on this vital metric.

Family matters case activity summary for the St. James Family Court in the third quarter of 2021

This section examines case activity for matters classified under the broad category of family matters in the St. James Family Court for the third quarter ended September 30, 2021. Matters falling under this broad case category which are included in this report includes maintenance, custody, legal guardianship, access and declaration of paternity

Table 1.0: Summary of Family case activity for cases for the third quarter ended September 30, 2021

Case Subtype	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Custody	116	97	7	89.66
Declaration of Paternity	53	42	2	83.02
Access	37	26	0	70.27
Adoption	6	6	0	100.00
Legal Guardianship	2	2	0	100.00
Maintenance	116	96	4	86.21
Total/Weighted Average	330	269	13	85.45

The 330 new family division cases filed at the St. James Family Court in the third quarter of 2021 revealed that maintenance and custody matters each with 116 cases or 35.15% of the sample accounts for the largest proportion of cases filed. This was followed by declaration of paternity with 53 or 16.06%. There were also 37 access cases, 6 adoption cases and 2 legal guardianship cases filed. A total of 282 cases falling under this broad family category were disposed or became inactive in the quarter. This is subdivided into 96 disposed and 4 inactive maintenance cases, 97 disposed and 7 inactive custody cases, 42 disposed and 2 inactive declaration of paternity cases, 26 disposed access cases, 2 disposed legal guardianship cases and 6 disposed adoption cases. This led to an overall estimated weighted average case clearance rate of 85.45% for the broad

family case type, led by adoption and legal guardianship cases with 100% each, custody cases with 89.66%, maintenance with 86.21%, declaration of paternity with 83.02% and access with 70.27%.

Summary of Case Activity for Domestic Violence Cases in the third quarter of 2021 at the St. James Family Court

The below subsection provides a basic summary of case activity for domestic Violence cases filed at the Family Court in St. James for the third quarter of 2021.

Table 1.0: Summary of domestic violence case activity for cases for the third quarter ended September 30, 2021

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case clearance rate (%)
Protection Order	124	61	3	51.61
Occupation Order	25	16	3	76.00
Total/Weighted Average	149	77	6	55.70

The data above shows that there was a total of 149 new domestic violence cases filed in the third quarter of 2021 at the St. James Family Court. Of this number, there were 124 protection order cases and 25 occupation order cases. A total of 83 domestic violence cases were either disposed or became inactive during the quarter. This is disaggregated into 61 disposed and 3 inactive protection order cases, and 16 disposed and 3 inactive occupation order cases in the period. This produces an estimated weighted case clearance rate of 55.70% for these case types, which is well below the international standard.

Summary of case activity for civil matters at the St. James Family Court

The below subsection provides a basic summary of case activity for civil matters at the St. James Family Court in the third quarter of 2021.

Table 1.0: Summary of civil case activity for cases in the third quarter ended September 30, 2021

Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted Case Clearance Rate (%)
34	36	0	105.88

The data above shows that there was a total of 34 new civil cases filed in the third quarter of 2021. There was also a total of 36 civil cases which were disposed of in the quarter at the St. James Family Court. This produces an estimated case clearance rate of 105.88% for the period, which is meets the international standard.

Summary of case activity across all business lines in the third quarter of 2021 at the St. James Family Court

Table 1.0: Summary of case activity across all business lines in the third quarter ended September 30, 2021

Aggregate Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted Case Clearance Rate (%)
584	458	25	82.71

The above table shows that a total of 584 new cases were filed at the St. James Family Court in the third quarter of 2021, while 458 cases were disposed, and 25 cases became inactive. This

produces an estimated weighted case clearance rate of 82.71% across all the case types in the period. Criminal cases with 140% had the highest clearance rate, followed by civil cases with 105.88%, child welfare cases with 102.17% and Family division cases with 85.45%. Domestic violence cases had the lowest estimated weighted average clearance rate in the quarter with a rate of 55.70%.

Chapter 3.0: The Westmoreland Family Court (A Division of the Western Regional Family Court)

This chapter of the document will examine a summary of selected output and performance measurements for matters in the Westmoreland Family Court for the third quarter ended September 30, 2021. Such will involve analyses of caseload, case type distribution, case clearance rates for the different business lines of the family court.

Case Activity Summary in the Criminal Section (A Division of the Children’s Court)

Table 1.0: Summary of criminal case activity for cases for the quarter ended September 30, 2021

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case clearance rate (%)
Committal	6	3	0	50.00
Indictments	6	2	0	33.33
Summary	16	15	0	93.75
Petty Session	7	9	0	128.57
Total/Weighted Average	35	29	0	82.86

The above table shows the distribution by case type of 35 criminal cases filed at the Westmoreland Family Court in the third quarter of 2021. Of these, 16 or 45.71% were summary matters, 7 or 20% were petty session matters, while committal and indictments matters each had 6 cases or 17.14%. There was a total of 29 criminal cases disposed of during third quarter of 2021. Of these, 15 summary cases, 9 petty session cases, 3 committal proceedings cases and 2 indictment cases were disposed. This led to an overall estimated weighted clearance rate of 82.86% for these types of cases, ranging from 128.57% for petty sessions cases to 93.75% for summary matters, 50% for committal proceedings and 33.33% for indictments.

Case Activity on Child Welfare Matters (A Division of the Children’s Court)

This section examines case activity for matters classified as child welfare in the Westmoreland Family Court for the third quarter ended September 30, 2021. Matters falling under the child welfare subdivision are uncontrollable child and childcare and protection cases.

Table 1.0: Summary of child welfare case activity for the third quarter ended September 30, 2021

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Childcare protection	31	38	0	122.58
Uncontrollable Child	13	10	1	84.62
Total/Weighted Average	44	48	1	111.36

A sample of 44 child welfare cases filed in the third quarter of 2021 revealed that the majority of 31 or 70.45% were childcare and protection cases, while cases of uncontrollable child with 13 or 29.55% accounted for the remaining proportion. A total of 49 child welfare cases were disposed or became inactive in the quarter, 38 of which were disposed childcare and protection cases and 10 disposed and 1 inactive uncontrollable child cases. This led to an estimated weighted case clearance rate of 111.36% for these types of cases.

Family matters case activity summary for the Westmoreland Family Court in the third quarter of 2021

This section examines case activity for matters classified under the broad category of family matters in the Westmoreland Family Court for the third of 2021. Matters falling under this broad case category which are included in this report includes maintenance, custody, legal guardianship, access and declaration of paternity

Table 1.0: Summary of Family case activity for cases for the third quarter ended September 30, 2021

Case Subtype	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Custody	49	58	5	128.57
Declaration of Paternity	24	21	1	91.67
Access	14	7	0	50.00
Legal Guardianship	0	1	0	NA
Maintenance	81	82	3	104.94
Total/Weighted Average	168	169	9	105.95

The 168 new family division cases which were filed at the Westmoreland Family Court in the third of 2021 revealed that the largest proportion were maintenance matters with 81 cases or 48.21% of the sample. This was followed by 49 or 29.17% which were custody cases and 24 or 14.29% which were cases of declaration of paternity. There were also 14 new access cases in the quarter, rounding off the distribution of new cases filed in this category. A total of 178 cases were disposed or became inactive in the quarter. This is subdivided into 82 disposed and 3 inactive maintenance cases, 58 disposed and 5 inactive custody cases, 21 disposed and 1 inactive declaration of paternity cases, 7 disposed access cases and 1 disposed legal guardianship case. These outcomes led to an overall estimated weighted average case clearance rate of 105.95% for

the family matters category of cases, led by a rate of 128.57% for the sub-category of custody matters.

Summary of Case Activity for Domestic Violence Cases in the third quarter of 2021 at the Westmoreland Family Court

The below subsection provides a basic summary of case activity for domestic violence cases filed at the Family Court in Westmoreland for the third quarter of 2021.

Table 1.0: Summary of domestic violence case activity for cases for the third quarter ended September 30, 2021

Order Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted case clearance rate (%)
Protection Order	97	47	1	49.48
Occupation Order	17	18	0	105.88
Total/Weighted Average	114	65	1	57.89

The data above shows that there was a total of 114 new domestic violence cases filed in the third quarter of 2021 at the Westmoreland Family Court. Of this number, there were 97 protection order cases and 17 occupation order cases. A total of 66 domestic violence of these cases were either disposed or became inactive during the period. There were 47 disposed and 1 inactive protection order cases, and 18 disposed occupation order cases. This produces an estimated weighted case clearance rate of 57.89% for these case types and is well below the international standard.

Summary of case activity for civil matters at the Westmoreland Family Court

The below subsection provides a basic summary of case activity for civil matters at the Westmoreland Family Court in the third of 2021.

Table 1.0: Summary of civil case activity for cases in the third quarter ended September 30, 2021

Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted Case Clearance Rate (%)
13	13	0	100

The data above shows that there was a total of 13 new civil cases filed in the third quarter of 2021 at the Westmoreland Family Court. There was also a total of 13 civil cases which were disposed during the period at this court. This produces an estimated case clearance rate of 100%, which satisfies the international standard.

Summary of case activity across all business lines in the third quarter of 2021 at the Westmoreland Family Court

Table 1.0: Summary of case activity across all business lines in the third quarter ended September 30, 2021

Aggregate Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted Case Clearance Rate (%)
374	324	11	89.57

The above table shows that a total of 374 new cases were filed at the Westmoreland Family Court in the third quarter of 2021, while 342 cases were disposed, and 11 cases became inactive. This produces an estimated weighted case clearance rate of 89.57% across all the case types in the

third quarter of 2021. Child welfare cases with 111.36% had the highest clearance rate, followed by family division cases with 105.95%, civil cases with 100% and criminal cases with 82.86%. Domestic violence cases had the lowest estimated weighted average clearance rate in the quarter with a rate of 57.89%.

Chapter 4.0: The Hanover Family Court (A Division of the Western Regional Family Court)

This chapter of the document will examine a summary of selected output and performance measurements for matters in the Hanover Family Court for the third quarter ended September 30, 2021. Such will involve analyses of caseload, case type distribution, case clearance rates for the different business lines of the family court.

Case Activity Summary in the Criminal Section (A Division of the Children’s Court)

Table 1.0: Summary of criminal case activity for cases for the third quarter ended September 30, 2021

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case clearance rate (%)
Committal	2	2	0	100.00
Indictments	2	11	2	650.00
Summary	4	23	1	600.00
Petty Session	5	14	1	300.00
Total/Weighted Average	13	50	4	415.38

The above table shows that the sample of 13 criminal cases filed at the Hanover Family Court in the third of 2021. Of these, 5 or 38.46% were petty session cases, 4 or 30.77% were summary matters, and committals and indictment matters accounted for 2 or 15.38% each. There was a total of 54 criminal cases which were disposed, or which became inactive during third quarter of 2021. Of these, 23 summary cases were disposed and 1 became inactive, 14 petty sessions were disposed and 1 became inactive, 11 indictments cases were disposed, and 2 cases became inactive, and 2 Committal proceedings were disposed. This led to an estimated weighted clearance rate of 415.38% for criminal cases at the Hanover Family Court in the quarter, ranging from 100% for committal proceedings to 650% for indictments.

Case Activity on Child Welfare Matters (A Division of the Children’s Court)

This section examines case activity for matters classified as child welfare in the Hanover Family Court for the third quarter ended September 30, 2021. Matters falling under the child welfare subdivision are uncontrollable child and childcare and protection cases.

Table 1.0: Summary of child welfare case activity for the third quarter ended September 30, 2021

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Childcare protection	14	29	0	207.14
Uncontrollable Child	13	5	1	46.15
Total/Weighted Average	27	34	1	129.63

A sample of 27 child welfare cases filed in the third quarter of 2021 revealed that the majority of 14 or 51.85% of the sample were childcare and protection cases, while cases of uncontrollable child with 13 or 48.15% accounted for the remaining proportion. A total of 35 child welfare cases were disposed or became inactive in the quarter, 29 of which were disposed childcare and protection cases and 5 were disposed uncontrollable child cases and 1 inactive case. This led to an estimated weighted case clearance rate of 129.63% for child welfare cases as a whole in the third quarter of 2021.

Family matters case activity summary for the Hanover Family Court in the third quarter of 2021

This section examines case activity for matters classified under the broad category of family matters in the Hanover Family Court for the third quarter ended September 30, 2021. Matters falling under this broad case category which are included in this report includes maintenance, custody, legal guardianship, access and declaration of paternity.

Table 1.0: Summary of Family case activity for cases for the third quarter ended September 30, 2021

Case Subtype	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Custody	26	26	1	103.85
Declaration of Paternity	9	5	0	55.56
Access	5	4	1	100.00
Legal Guardianship	0	1	0	NA
Maintenance	36	42	0	116.67
Total/Weighted Average	76	78	2	105.26

The 76 new cases which were filed at the Hanover Family Court in the third quarter of 2021 under the broad family matters case category revealed that the largest proportion were maintenance matters with 36 cases or 47.37%. This was followed by 26 or 34.21% which were custody cases and 9 or 11.84% which were declaration of paternity cases. There were also 5 access cases rounding off the distribution of new cases filed in this category. A total of 80 cases falling under this broad family category were disposed or became inactive in the quarter. This is subdivided into 42 disposed maintenance cases, 26 disposed and 1 inactive custody cases, 5 disposed declaration of paternity cases, 4 disposed and 1 inactive access cases and 1 disposed legal guardianship case. These outcomes led to an estimated overall weighted case clearance rate of 105.26% for the family matters category of cases.

Summary of Case Activity for Domestic Violence Cases in the third quarter of 2021 at the Hanover Family Court

The below subsection provides a basic summary of case activity for domestic violence cases filed at the Family Court in Hanover for the third quarter ended September 30, 2021.

Table 1.0: Summary of domestic violence case activity for cases for the third quarter ended September 30,2021

Order Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted case clearance rate (%)
Protection Order	39	36	1	94.87
Occupation Order	8	5	0	62.50
Total/Weighted Average	47	41	1	89.36

The data above shows that there was a total of 47 new domestic violence cases filed in the third quarter of 2021 at the Hanover Family Court. Of this, there were 39 protection order cases and 8 were occupation order cases. A total of 42 domestic violence cases were either disposed or became inactive in the quarter. Of this, 36 were disposed and 1 inactive protection order cases and 5 disposed occupation order cases. This produces an estimated weighted case clearance rate of 89.36% for these case types which is below the international standard.

Summary of case activity for civil matters at the Hanover Family Court

The below subsection provides a basic summary of case activity for civil matters at the Hanover Family Court in the third quarter ended September 30, 2021

Table 1.0: Summary of civil case activity for cases in the third quarter ended September 30, 2021

Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted Case Clearance Rate (%)
5	11	0	220.00

The data above shows that there was a total of 5 new civil cases filed in the third quarter of 2021 at the Hanover Family Court. There was also a total of 11 civil cases which were disposed during the period at this court. This produces an estimated case clearance rate of 220%, which exceeds the international standard.

Summary of case activity across all business lines in the third quarter of 2021 at the Hanover Family Court

Table 1.0: Summary of case activity across all business lines in the third quarter ended September 30, 2021

Aggregate Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted Case Clearance Rate (%)
168	214	8	132.14

The above table shows that a total of 168 new cases were filed at the Hanover Family Court in the third quarter of 2021, while 214 cases were disposed, and 8 cases became inactive. This

produces an estimated weighted case clearance rate of 132.14% across all the case types in the third quarter of 2021. Criminal cases with 415.38% had the highest clearance rate, followed by civil division cases with 220%, childcare cases with 129.63% and family division with 105.26%. Domestic violence cases had the lowest estimated weighted average clearance rate in the quarter with a rate of 89.36%.

Chapter 5.0: The Trelawny Family Court

This chapter of the document will examine a summary of selected output and performance measurements for matters in the Trelawny Family Court for the third quarter ended September 30, 2021. Such will involve analyses of caseload, case type distribution and case clearance rates for the different business lines of the family court.

Case Activity Summary in the Criminal Section (A Division of the Children’s Court)

Table 1.0: Summary of criminal case activity for cases for the third quarter ended September 30, 2021

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case clearance rate (%)
Committal	6	0	0	0
Summary	2	0	0	0
Petty Session	2	0	0	0
Total/Weighted Average	10	0	0	0

The above table shows that the sample of 10 criminal cases filed at the Trelawny Family Court in the third quarter of 2021. Of these, 6 or 60% were indictment cases while petty session and summary matters each accounted for 2 cases or 20%. There were no disposed cases or inactive cases in the quarter for this business line, hence, a weighted case clearance rate is not reportable.

Case Activity on Child Welfare Matters (A Division of the Children’s Court)

This section examines case activity for matters classified as child welfare in the Trelawny Family Court for the third quarter ended September 30, 2021. Matters falling under the child welfare subdivision are uncontrollable child and childcare and protection cases.

Table 1.0: Summary of child welfare case activity for the third quarter ended September 30, 2021

Case Type	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Childcare protection	4	0	0	0.00
Uncontrollable Child	2	2	0	100.00
Total/ Weighted Average	6	2	0	33.33

There were 6 child welfare cases filed at the Trelawny Family Court in the third of 2021, the majority of which were childcare and protection cases which accounted for 4 or 66.67%, while cases of uncontrollable child with 2 or 33.33% accounted for the remaining proportion. Two child welfare cases were disposed during the quarter, both of which were uncontrollable child cases. These results led to estimated case clearance rates of 100% for uncontrollable child and further yielding a weighted average case clearance rate of 33.33%, which is below the international standards on this vital metric.

Family matters case activity summary for the Trelawny Family Court in the third quarter of 2021

This section examines case activity for matters classified under the broad category of family matters in the Trelawny Family Court for the third quarter ended September 30, 2021. Matters falling under this broad case category which are included in this report includes maintenance, custody, legal guardianship, access and declaration of paternity.

Table 1.0: Summary of Family case activity for cases for the third quarter ended September 30, 2021

Case Subtype	Number of new cases filed	Number of cases disposed	Number of inactive cases	Case Clearance Rate (%)
Custody	29	11	5	55.17
Declaration of Paternity	8	0	1	12.50
Access	3	0	0	0.00
Legal Guardianship	2	1	0	50.00
Maintenance	21	2	8	47.62
Total/Weighted Average	63	14	14	44.44

The 63 new cases filed at the Trelawny Family Court in the third quarter of 2021 revealed that the largest proportion were custody matters with 29 cases or 46.03% of the sample. This was followed by maintenance matters with 21 cases or 33.33% and declaration of paternity cases with 8 or 12.70%. There were 3 access cases and 2 legal guardianship cases filed. A total of 28 cases falling under this broad family category were disposed or became inactive in the quarter. This is subdivided into 11 disposed and 5 inactive custody cases, 2 disposed and 8 inactive maintenance cases, 1 inactive declaration of paternity case and 1 disposed legal guardianship case. This led to an overall estimated weighted average case clearance rate of 44.44% for the broad family case type, led by custody cases with 55.17%, legal guardianship cases with 50% and maintenance cases with 47.62%. Declaration of paternity had a clearance rate of 12.50%.

Summary of Case Activity for Domestic Violence Cases in the third quarter of 2021 at the Trelawny Family Court

The below subsection provides a basic summary of case activity for domestic violence cases filed at the Family Court in Trelawny for the third quarter ended September 30, 2021.

Table 1.0: Summary of domestic violence case activity for cases for the third quarter ended September 30, 2021

Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted case clearance rate (%)
31	17	6	74.19

The data above shows that there was a total of 31 new domestic violence cases filed in the third quarter of 2021 at the Trelawny Family Court. A total 23 of these cases were either disposed or became inactive during the quarter which resulted in a weighted average case clearance rate of 74.19%, falling below the international standards on this vital metric.

Summary of case activity for civil matters at the Trelawny Family Court

The below subsection provides a basic summary of case activity for civil matters at the Trelawny Family Court in the third quarter ended September 30, 2021

Table 1.0: Summary of civil case activity for cases in the third quarter ended September 30, 2021

Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted Case Clearance Rate (%)
8	3	2	62.50

The data above shows that there was a total of 8 new civil cases filed in the third quarter of 2021. There were also 5 civil cases which were disposed or became inactive during the period. This produces an estimated case clearance rate of 62.50%, which is below the international standard.

Summary of case activity across all business lines in the third quarter of 2021 at the Trelawny Family Court

Table 1.0: Summary of case activity across all business lines in the third quarter ended September 30, 2021

Aggregate Number of new cases filed	Number of cases disposed	Number of inactive cases	Weighted Case Clearance Rate (%)
118	36	22	49.15

The above table shows that a total of 118 new cases were filed at the Trelawny Family Court in the third quarter of 2021, while 36 cases were disposed, and 22 cases became inactive. This produces an estimated weighted case clearance rate of 49.15% across all the case types in the third quarter of 2021. Domestic violence cases with 74.19% had the highest clearance rate, followed by civil division cases with 62.50% and family division with 44.44%. Childcare welfare cases had the lowest estimated weighted average clearance rate in the quarter with a rate of 33.33%.

Aggregate Case Activity Summary

Aggregate case flow performance estimates for the third quarter ended September 30, 2021

Family Court	Number of new cases	Gross Number of disposed cases	Gross number of Inactive cases	Weighted Average Case Clearance Rate (%)
Corporate Area Family Court	461	400	18	90.67
Hanover Family Court	168	214	8	132.14
St. James Family Court	584	458	25	82.71
Westmoreland Family Court	374	324	11	89.57
Trelawny Family Court	118	36	22	49.15
Total/Weighted Average	1705	1432	84	88.91

The above table provides a summary of aggregate case activity across the featured specialized Family Courts in the third quarter of 2021. It shows that a total of 1705 new cases were filed in these courts, while 84 became inactive and 1432 were disposed, leading to an estimated weighted case clearance rate of 88.91%. The Hanover Family Court recorded the highest overall weighted case clearance rate among the featured courts with 132.14%, followed by the Corporate Area Family Court with 90.67%.

Conclusion

This report featured the specialized Family Courts of Kingston and St. Andrew, Trelawny and the Western Regional Family Courts which comprises the Hanover, Westmoreland and St. James Family Courts. Together, these specialized family courts registered a commendable overall case clearance rate of 88.91%, representing a 4.25 percentage points decline when compared to the corresponding period in 2020. The rates ranged from a high of 132.14% in the Kingston and St. Andrew Family Court to a low of 49.15% in the Trelawny Family Court. The Chief Justice has set a target for the Jamaican courts to achieve a court-wide case clearance rate of 130% over the next 4-5 years. Achieving this rate will ensure that the net case backlog rate in the court system is reduced to under 5%. Specific targeted case clearance rates have been established for the individual courts and business lines throughout the Jamaican court system, including the Family Court. The Western Regional Family Courts need to attain an overall case clearance rate of 117% by 2025 in order to achieve a sustainable net case backlog rate of under 5% while the Kingston and St. Andrew Family Courts have a target of 119.14% by that time and the Trelawny Parish Court should attain a rate of 111.24%. Based on the results observed over the past four consecutive quarters, there is a relatively high probability that the specialized Family Courts will attain their targets by 2025, creating a near backlog free situation. One important metric that bears a direct correlation with the case clearance rate is the courtroom utilization rate. The specialized Family Courts enjoy comparatively strong courtroom utilization which partly explains their consistently strong case clearance rates. In the third quarter of 2021 for example, the Kingston and St. Andrew Parish Courts registered a courtroom utilization of roughly 77%.

The specialized family courts appear to be well poised to meet the key quantitative targets set out by the Chief Justice as part of the judiciary's strategic plan for the next few years, thus contributing to positioning the Jamaican court system among the best in the region and the world.

Glossary of Terms

Sampling Distribution: A sampling distribution of a given population is the distribution of frequencies of a range of outcomes that could possibly occur for a statistic of a population. A population is the entire pool from which a statistical sample is drawn.

Clearance rate: The ratio on incoming to outgoing cases or of new cases filed to cases disposed, regardless of when the disposed cases originated. For example, in a given Term 100 new cases were filed and 110 were disposed (including cases originating before that Term) the clearance rate is $110/100$ or 110%. A distinction is sometimes made between the gross and net case clearance rates. The simple difference is that the net rate completely excludes inactive cases from its computation while the gross rate does not.

Note: The clearance rate could therefore exceed 100% but the disposal rate has a maximum value of 100%.

A persistent case clearance rate of less than 100% will eventually lead to a backlog of cases in the court system. The inferred international benchmark for case clearance rates is an average of 90%-110 annualized. This is a critical foundation to backlog prevention in the court system.¹

Disposal rate: As distinct from clearance rate, the disposal rate is the proportion of new cases filed which have been disposed in a particular period. For example, if 100 new cases are filed in a particular Term and 80 of those cases were disposed in said Term, then the disposal rate is 80%. A distinction is sometimes made between the gross and net case disposal rates. The simple difference is that the net rate completely excludes inactive cases from its computation while the gross rate does not.

Note: A persistent case clearance rate of less than 100% will eventually lead to a backlog of cases in the court system.ⁱⁱ

Trial/hearing date certainty: This is the proportion of dates set for trial or hearing which proceed without adjournment. For example, if 100 trial dates are set in a particular Term and 40 are adjourned, then the trial certainty rate would be 60%. The international standard for this measure is between 92% and 100%.

Courtroom utilization rate: The proportion of courtrooms in full use on a daily basis or the proportion of hours utilized in a courtroom on a daily basis. The international standard for this rate is 100%.

Case congestion rate: The ratio of pending cases to cases disposed in a given period. It is an indication of how fatigued a court is, given the existing state of resources and degree of efficiency. A case congestion rate of 150% for example, is an indication that given the resources currently at a court's disposal and its degree of efficiency, it is carrying 1.5 times its capacity.

Case File Integrity Rate: Measures the proportion of time that a case file is fully ready and available in a timely manner for a matter to proceed. Hence, any adjournment, which is due to the lack of readiness of a case file or related proceedings for court at the scheduled time, impairs the case file integrity rate. The international benchmark for the case file integrity is 100%

Standard deviation: This is a measure of how widely spread the scores in a data set are **around** the average value of that data set. The higher the standard deviation, the higher the variation of

the raw scores in the data set, from the average score. A low standard deviation is an indication that the scores in a data set are clustered around the average.

Outlier: An outlier is a value that is too small or too large, relative to the majority of scores/trend in a data set.

Skewness: This is a measure of the distribution of scores in a data set. It gives an idea of where the larger proportion of the scores in a data set can be found. Generally, if skewness is positive as revealed by a positive value for this measure, this suggests that a greater proportion of the scores in the data set are at the lower end. If the skewness is negative as revealed by a negative value for this measure, it generally suggests that a greater proportion of the scores are at the higher end. If the skewness measure is approximately 0, then there is roughly equal distribution of scores on both the higher and lower ends of the average figure.

Range: This is a measure of the spread of values in a data set, calculated as the highest minus the lowest value. A larger range score may indicate a higher spread of values in a data set.

Case backlog: A case that is in the court system for more than two years without disposition.

Case backlog: A case that is in the court system for more than two years without disposition. The **gross backlog rate** measures the proportion of all cases filed within a given period which remain unresolved for a period of over two years. The **net backlog rate** on the other hand measures the proportion of active cases filed in a given period which are unresolved for over two years.

Percentile Rank: This refers to the percentage of scores that are equal to or less than a given score. Percentile ranks, like percentages, fall on a continuum from 0 to 100. For example, a percentile rank of 45 indicates that 45% of the scores in a distribution of scores fall at or below the score at the 35th percentile.

Percentile ranks are useful when you want to quickly understand how a particular score compares to the other scores in a distribution of scores. For instance, knowing a court disposed 300 cases in a given period doesn't tell you much. You don't know how many case disposals were possible, and even if you did, you wouldn't know how that court's score compared to the rest of the courts. If, however, you were told that the court scored at the 80th percentile, then you would know that this court did as well or better than 80% of the courts in case disposals.

Difference between percentage and percentile changes: The difference between percentage and percentage points, the latter is strictly used to compare two percentages, for example, if the clearance rate in 2018 was 89% and the clearance rate in 2019 is 100%, then the appropriate expression to compare these would be "an 11 percentage points increase". However, if we are comparing two absolute numbers, say, 1000 cases were disposed in 2018, and 1500 in 2019, then there would be a 50% increase in cases disposed.

Weighted Average: Weighted average is a calculation that takes into account the varying degrees of significance of the groups or numbers in a data set. In calculating a weighted average for a particular variable, the individual scores or averages for each group are multiplied by the weight or number of observations in each of those groups, and summed. The outcome is then divided by the summation of the number of observations in all groups combined. For example, if we wish to calculate the weighted average clearance rate for the parish courts, the product of the

clearance rate and number of cases for each court are computed, added, and then divided by the total number of cases across all the parish courts. This means that a court with a larger caseload has a greater impact on the case clearance rate than a smaller court.

A weighted average can be more accurate than a simple average in which all numbers in a data set are assigned an identical weight.

Continuance and Adjournment: In a general sense, any delay in the progression of a hearing in which a future date/time is set or anticipated for continuation is a form of adjournment. However, in order to make a strict distinction between matters which are adjourned for procedural factors and those which are generally avoidable, court statistics utilizes the terms ‘continuance’ and ‘adjournment’. Here, ‘continuance’ is used strictly to describe situations in which future dates are set due to procedural reasons and ‘adjournments’ is used to describe the circumstances in which future dates of appearance are set due to generally avoidable reasons. For example, adjournments for another stage of hearing, say from a plea and case management hearing to a trial hearing or from the last date of trial to a sentencing date are classified as ‘continuance’ but delays for say, missing or incomplete files, due to outstanding medical reports or attorney absenteeism are classified as ‘adjournments’. Adjournments as defined in this document have an adverse effect on hearing date certainty rates but continuances do not.

Source:

<http://courts.mi.gov/Administration/SCAO/Resources/Documents/bestpractice/BestPracticeCaseAgeClearanceRates.pdf>

ⁱ *Source:*

<http://courts.mi.gov/Administration/SCAO/Resources/Documents/bestpractice/BestPracticeCaseAgeClearanceRates.pdf>

